

LEE COUNTY

NORTH CAROLINA

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REGULAR MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

MAY 5, 2014

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Charles T. Parks, Robert T. Reives, Kirk D. Smith, and James K. Womack.

Chairman Parks called the meeting to order and the following business was transacted:

Commissioner Dr. Ricky Frazier delivered the invocation.

The pledge of allegiance was recited.

The Board considered a Resolution appointing Kerry A. Schmid as Lee County Attorney. County Manager John Crumpton stated Ms. Schmid received her North Carolina Bar license and was sworn into office on April 24, 2014. Commissioner Smith move to approve a *Resolution Appointing Kerry A. Schmid as Lee County Attorney and retaining Attorney Neil Yarborough for other Needed Legal Assistance*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered additions/changes to the Agenda. Chairman Parks noted that items E & F under New Business would be reversed, and a Closed Session would be added at the end of the meeting. With no other changes made, Commissioner Womack moved to approve the Agenda as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Womack moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the April 21, 2014 appointed sub-committee meeting between Commissioners and City Council,
- Minutes from the April 21, 2014 special called joint meeting with the CCCC Board of Trustees,
- Minutes from the April 21, 2014 regular meeting of the Board,
- Minutes from the April 22, 2014 Deep River Town Hall meeting,
- Minutes from the April 24, 2014 Greenwood Town Hall meeting, and
- Memorandum of Understanding for placement of duck feeders at San-Lee Park (copy attached).

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute §153A-42.1, Chairman Parks opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Mr. Dale Marks, 1258 Black Road, Sanford (in favor of funding for Fort Bragg Regional Alliance)

At this time the Board conducted a public hearing to receive comments in reference to the Proposed Capital Improvements Program (CIP) for FY 2015-2019 presented at the April 21st meeting. County Manager John Crumpton outlined the proposed CIP.

Chairman Parks opened the public hearing.

The following spoke in reference to the proposed CIP:

1. Ms. Susan Alexander, Chairperson of the Lee County Library Board of Trustees (in favor of a new Library in downtown Sanford)

Chairman Parks closed the public hearing.

Mr. Greg Taylor, Executive Director of the Fort Bragg Regional Alliance discussed funding issues with the Board for the current and upcoming year. At the April 21st meeting, Commissioner Smith asked the Board to consider appropriating \$20,500 for current year (FY 2013-14) funding for the Fort Bragg Regional Alliance and \$20,500 in the upcoming budget (FY 2014-15). Action on the matter was deferred until Mr. Taylor could appear before the Board and provide funding/budget information. The following FY 2013-14 Fort Bragg Regional Alliance Program Summary was presented:

- Comprehensive Regional Growth Plan,
- Wounded Warrior Demo pilot,
- All American Gateway Workforce Region Collaborative,
- Portable 3-D Systems (to community colleges in the region),
- Workforce Transformation Golden LEAF Grant (to 11 high schools),

- Bragg Pipeline (computer based program),
- Organized Regional STEM effort (placed in 3 Lee County Schools),
- SciVis Certification training & software,
- Fayetteville State University Study,
- PipelineNC.com website,
- Kenan Fellow Fellowships,
- BRAC Regional Entrepreneurial Project,
- Phase I and II – ARRA Funds,
- Attracting and retaining healthcare providers,
- NC Center for GIS,
- Regional Water/Wastewater Infrastructure Plan,
- Regional Solid Waste Infrastructure Plan,
- Regional Waste/Biomass to Energy Program Feasibility Study,
- Air Service Study – direct flight to Washington, DC,
- Fort Bragg Regional Growth and Housing Study,
- NC Regional Multi-Modal Corridor Mobility Plan,
- Farmland Protection Plans,
- Lifelong Learning & Literacy Program,
- Regional Growth Management Strategy – Phase I & II,
- Behavior health Issues and Initiatives, and
- Ongoing Economic Development

After discussion, Commissioner Womack moved to approve a \$20,500 funding allocation to the Fort Bragg Regional Alliance for the current year (FY 2013-14), and \$20,500 for the upcoming year (FY 2014-15). Upon a vote, the results were as follows:

Aye: Dalrymple, Knecht, Parks, Smith, and Womack
 Nay: Frazier and Reives

Chairman Parks ruled the motion had been adopted by a 5 to 2 vote.

The Board considered a proposal for disaster debris management and removal services. Joe Cherry, Solid Waste Superintendent presented proposals from eight qualified firms to provide disaster debris management and removal services following a natural or manmade disaster. Mr. Cherry stated there is no immediate or annual costs associated with this agreement. Costs will be incurred only after services are rendered following a disaster. Costs incurred are no less than 75% reimbursable by FEMA. Historically, the State of North Carolina has covered the remaining 25%. After discussion, Commissioner Dalrymple moved to approve the proposal from *TAG Grinding Services, Inc.* and authorize staff to begin contract negotiations. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the FY 2014-15 Home and Community Care Block Grant through Senior Services. Senior Services Director Debbie Davidson stated the total proposed funds allocated from the Home and Community Care Block Grant for FY 2014-15 for Lee County Senior Services through Triangle J Area Agency on Aging is \$353,230, with a required local match of \$39,248. Funds are

proposed to be used for General and Medical Transportation, Congregate and Home Delivered Meals, Information and Options Counseling, Senior Center Operations, and Minor Home Repair. After discussion, Commissioner Reives moved to approve the *FY 2014-15 Home and Community Care Block Grant* as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the FY 2014 Seniors Health Insurance Information (SHIIP) Outreach Grant through the Triangle J Area Agency on Aging. Senior Services Director Debbie Davidson stated Lee County has been allocated \$3,500.00 in grant funding to provide outreach for older adults to better understand Medicare benefits. No matching funds are required. Ms. Davidson stated funds are proposed to be used in the SHIIP program to assist with outreach activities to Medicare recipients in understanding their summary of benefits statements and extra help availability. Folders will be purchased using grant funds that will contain information detailing the *Living Healthy* classes that are available through Lee County Senior Services staff at The Enrichment Center and will also be made available at the upcoming EXPO. Remaining funds will go toward the cost of internet services, postage and the monthly newsletter. After discussion, Commissioner Womack moved to approve the *FY 2014 Seniors Health Insurance Information (SHIIP) Outreach Grant* as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board took a 10-minute recess at this time. Upon returning, with all members present, Chairman Parks called the meeting to order.

The Board considered a renewal contract with the North Carolina Department of Correction. Health Director Terrell Jones asked the Board to approve a one-year renewal contract between the Lee County Health Department and the North Carolina Department of Correction for inmate labor at the Lee County Animal Shelter. The current contract expires June 30, 2014. Mr. Terrell stated both parties wish to renew the contract which provides two (2) inmates to work at the Animal Shelter under the supervision of Lee County staff for \$1.00 per day. Commissioner Frazier moved to approve the *Renewal Contract with the North Carolina Department of Correction for Inmate Labor at the Lee County Animal Shelter*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution for the Airport Authority. County Manager John Crumpton asked the Board to consider a Resolution clarifying disbursement to the Airport Authority from the April 22, 2013 Commissioners meeting to approve additional disbursement from the Reserve Fund so the

Authority can close out the Runway Rehabilitation, Lighting and Paving Capital Project. In April 2013 the Airport Authority purchased the Southeastern Aviation Hangar with funds from the County Airport Reserve Fund. The disbursement of these funds was recorded as a liability to the County by the Airport's auditor. This was done because the Authority will eventually borrow funds from Central EMC that will cover the purchase and renovation of the hangar. In the Authorities minutes it was discussed that the EMC loan would have to repay the \$270,000 so the Authority would have the funds for the match on the Runway Rehabilitation project. To clarify that the funds do not need to be repaid, the Authority is asking that a Resolution be passed that clarifies the funds were a disbursement and not a loan. In addition, the Authority needs to close out the Runway Rehabilitation project and an additional \$65,000 is needed from the reserve fund to close out that project. The Runway and Lighting project total is over \$3.4 million so the Authority is asking for the entire 10% match (\$270,000 plus \$65,000). Mr. Crumpton further stated the Airport Reserve Fund currently has \$150,000 in it. After this disbursement, the fund will stand at \$85,000. After discussion, Commissioner Frazier moved to approve a *Resolution by the Lee County Board of Commissioners Clarifying the Use of the Airport Reserve Fund by the Sanford-Lee County Regional Airport Authority*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered Budget Amendment # 05/05/14/13. Finance Director Lisa Minter presented said Budget Amendment for the following departments;

Administration – appropriate \$297,900 from fund balance to cover the write off of the Wilrik Hotel loans,
Administration – appropriate \$45,000 from fund balance to cover legal fees and BRAC dues,
Sheriff-SROs – appropriate \$9,000 from fund balance to cover the uniform expense of additional officers,
Inspections – appropriate \$44,500 from fund balance to cover projected shortfalls in budget from the City of Sanford,
Social Services – appropriate additional funding of \$10,713 to cover required physiological testing expenses,
Senior Services-COLTS – appropriate \$17,384 in additional grant funding from NCDOT-PTD to be used for vehicle maintenance and telephone expenses, and
Airport Tax Fund – appropriate \$65,000 from fund balance for the airport.

After discussion, Commissioner Frazier moved to approve *Budget Amendment # 05/05/14/13*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton recognized Assistant County Manager/Finance Director Lisa Minter for receiving the *Certificate of Achievement for Excellence in Financial Reporting*. It was noted this is the 18th year the Finance Office has received this award. No action taken.

The Board considered Property and Liability Insurance Renewal for FY 2014-15. County Manager John Crumpton stated the County had received the renewal quote for Property and Liability from the North Carolina Association of County Commissioners (NCACC) for FY 2014-15. Mr. Crumpton stated that NCACC provides comprehensive coverage to counties that is uniquely designed to cover the County's needs and operations. Cost of the renewal is \$370,775. It was also noted the County will be rewarded \$13,090 as an incentive for participating in more than one Pool, which is refunded after the contracts have been issued following July 1, 2014. After discussion, Commissioner Dalrymple moved to approve the *FY 2014-15 Property and Liability Insurance Renewal* with NCACC as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered Workers' Compensation Insurance Renewal for FY 2014-15. County Manager John Crumpton stated the County had received the renewal quote for Workers' Compensation Insurance from the North Carolina Association of County Commissioners (NCACC) for FY 2014-15. Mr. Crumpton stated NCACC provides comprehensive coverage to counties that is uniquely designed to cover the County's needs and operations. Cost of the renewal is \$342,308. Commissioner Dalrymple moved to approve the *FY 2014-15 Workers' Compensation Insurance Renewal* with NCACC as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to go into Closed Session to consult with the County Attorney to protect the attorney-client privilege per North Carolina General Statute §143-318.11(a) (3) as it relates to the *Calendine vs. Lee County and Others lawsuit*. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the Board was in Closed Session. Upon returning from Closed Session, with all members present, Chairman Parks called the regular meeting back to order.

Commissioner Womack moved to approve outside legal counsel and funding for such legal services for the individual named Commissioners in the *Calendine vs. Lee County lawsuit*. Upon a vote, the results were as follows:


Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

With no other business to come before the Board, Commissioner Dalrymple moved to adjourn the meeting. Upon a vote, the results were as follows:

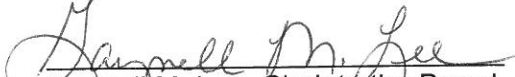
Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 8:35 p.m.



Charles T. Parks, Chairman
Lee County Board of Commissioners

ATTEST:



Gaynell M. Lee, Clerk to the Board